

TS LAUNCHES, NOVEMBER 2002

2 93. After giving Project Greenlight two years to gain traction, November 2002, the
3 Defendants prepared to launch TS. To attract the best undiscovered writers, the Defendants
4 planned to generate “buzz” by throwing 3 huge TS “launch parties”: one in New York, one
5 in Los Angeles, and one in **London**. (A photo of Kevin Spacey at the TS London Launch
6 party is attached as “**Exhibit P**” and is incorporated by reference as if fully set out herein.)
7 While in Britain, Def Spacey did many interviews about TS. The Guardian featured a piece
8 called “Cyber Spacey”, in which writer Sean Clarke mocked Defs Spacey’s and Brunetti’s
9 well-rehearsed lines. (Said Guardian article in which Def Spacey went to London to discuss
10 TS is attached as “**Exhibit Q**” and incorporated by reference as if fully set out herein.)
11 Writer Sean Clarke wrote:

12 Spacey tells an anecdote about the original idea for the site,
13 which is essentially Brunetti's brainchild. He says they "came
14 up with a sketchy plan, which at the time..." and chuckles
15 wryly, on which cue Brunetti take up the story "... which at
16 the time, we thought was great." They both shake their heads
17 ruefully. Later, I watch as the pair address a press conference,
they repeat the story, with exactly the same pauses, the same
chuckle, the same interruptions. It's beat-perfect, like a
Mamet script.

19 94. And to generate even more buzz, before the website was launched, Budweiser
20 announced their corporate sponsorship of the TS social network.

21 95. Along with the sponsors, parties and interviews, to help repair Def Spacey's
21 damaged reputation, the TS website posted a heartwarming story that Spacey started his
22 new social network "to help undiscovered writers and filmmakers get industry access and
23 exposure."

96. TriggerStreet.com was “launched”, and went online, November 2002

- 97. Def Spacey held a New York TriggerStreet **launch party** on Nov 11th, 2002.
 - 98. Def Spacey held a Los Angeles TS **launch party** on Nov 18th, 2002.
 - 99. Def Spacey held a London TS **launch party** on Nov 26th, 2002.

1 **After Triggerstreet Officially Launched, Nov 11th, 2002,**

2 **The Following Events (Connecting The Defendants) Occurred:**

3 100. Shortly after TS's official launch (November 2002), Def Spacey would receive
4 three (3) huge payments from Defendants Ari Emanuel and Universal Pictures (Def Spacey
5 would receive many other unlikely benefits—payments—during the subsequent 12 year
6 lifespan of TS).

7 ● 101. In February 2003, 3 months after TS launched, Universal Pictures
8 distributed Spacey's film "**The Life of David Gale**" (again, originally a property of
9 Spacey's home studio, Warner Bros). This would be the last time Universal Pictures would
10 be involved in a Spacey film (to the date of the filing of this Complaint). Thus, the only two
11 Universal Pictures films featuring Spacey as a lead are *K-PAX*, and *The Life of David Gale*.

12 ● 102. That same month, February of 2003, Spacey's production company would
13 magically get money to release and distribute its first movie in 3 years: "United States of
14 Leland". The film would only be released in 14 theaters, losing millions, and bringing in
15 only \$344,000. Likely, Universal Pictures wouldn't put their name on the film, because
16 after two bad years, Universal was back in 5th place (second to last place), and they didn't
17 want *United States of Leland* to move them into last place.

18 ● 103. That same month, again, February 2003, it was announced that Production
19 for ***Beyond the Sea*** (Spacey's dream film about Bobby Darin) was being fast-tracked with
20 Spacey as lead actor.

21 104. Suddenly, in the nadir of Defendant Spacey's career, inexplicably Hollywood was
21 showing Def Spacey tremendous love and support—when 4 of his previous 5 films were
22 major money losers.

23 Footnotes:

24 105. Shortly after TS launched, in **2003**, Ari Emanuel gave Asif Satchu and Mordecai
25 Wiczyk financing to start MRC.

26 106. **December 17th, 2004**, ***Beyond the Sea*** was released. It would be Spacey's **greatest**
27 **failure**; costing \$25 million, but only earning \$8.4 million; losing over \$16,000,000.

1 **Additional Facts Regarding TS And The Defendants**

- 2 ● 107. Spacey's production company made no films for 3 years, January 2000 to
 3 January 2003: Ordinary Decent Criminal (Jan 2000, direct to DVD in USA), and United
 4 States of Leland (Jan 2003, released in only 14 theaters).
- 5 ● 108. Since TS launched, Def Spacey's production company has made 22 films.
- 6 ● 109. May 2005, 2.5 years after TS launched, Project Greenlight was effectively
 7 dead (no new contests for filmmakers or screenwriters). Killed by the success of TS.
 8 Although, oddly, the Project Greenlight website remained open, but inactive —no new
 9 contests, no new submissions accepted; just an open, inactive website, until 2015.
- 10 ● 110. In 2006 Spacey held a TriggerStreet "RE-launch" party in Los Angeles.
- 11 ● 111. 2007, Plaintiff's screenplay, Butterfly Driver, was posted and accessed on TS.
- 12 ● 112. 2007-2009 TS secretly joined Bud.TV (Budweiser TV), without informing
 13 members or revising its Term of Use page. In a 2007 Anheuser-Busch announced it was
 14 launching Bud.TV with TriggerStreet.com providing programming. (Said Bud.TV news
 15 release is attached as "**Exhibit R**" and incorporated by reference as if fully set out herein.)
 16 Curiously, Bud.TV's Wikipedia page shows Defs Matt Damon and Ben Affleck (Project
 17 Greenlight), and Kevin Spacey (TS) all provided Bud.TV programming. (Said Wikipedia
 18 article is attached as "**Exhibit S**" and incorporated by reference as if fully set out herein.)
- 19 ● 113. Feb 2009, the BBC reported Def Spacey hosted the Mofilm Film Festival, in
 20 Spain, where he boasted of TS's "**400,000 members around the world.**" (Said BBC article
 21 is attached as "**Exhibit T**" and is incorporated by reference as if fully set out herein.)
- 22 ● 114. On April 27th, 2009, Def Ari Emanuel and Endeavor Talent Agency (ETA)
 23 merged with the William Morris Agency (WMA), creating William Morris Endeavor.
 24 **17 days later**, May 14th 2009, **after about 20 years with the William Morris Agency**,
 25 Def Spacey signed with CAA (Creative Artist Agency). Def Spacey did so to keep TS
 26 members (and any observing regulatory authorities) from becoming suspicious of his link to
 27 Def Ari Emanuel through TS. (A New York Times article about the April 2009 merger of
 28 WMA and Endeavor is attached as "**Exhibit U**" and is incorporated by reference as if fully
 set out herein.) (A May 2009 Variety article about Def Spacey leaving WME is attached as

1 “**Exhibit V**” and is incorporated by reference as if fully set out herein.)

2 ● 115. May 2010, “Deadline Hollywood” reported Defendant **Universal Pictures**
 3 and Defendant Media Rights Capital (MRC) announced a 20 picture, 5-year production and
 4 distribution deal. (Said “Deadline Hollywood” article is attached as “**Exhibit W**” and is
 5 incorporated by reference as if fully set out herein.) Thus, MRC’s (a company co-owned by
 6 Defendant Ari Emanuel) first mega-deal would be with **Universal Pictures**.

7 ● 116. On March 15th, 2011, **Netflix** and Def **MRC** (owned by Defs Emanuel,
 8 Wiczyk and Satchu) announced their mega \$100 million dollar 2-season deal to produce the
 9 new series *House of Cards*, starring Def Kevin Spacey, in his career defining role. Quietly, a
 10 few months later, in July 2011, with the role of a lifetime secured, Def Spacey would move
 11 his social network, TS, to <http://www.labs.triggerstreet.com>, and begin to use the web
 12 address TriggerStreet.com as his production company’s site.

13 ● 117. August 2013, the film Elysium (an infringement on the Plaintiff’s work) was
 14 released internationally. The Plaintiff then filed his copyright infringement suit against the
 15 Defendants, October 2013.

16 ● 118. November 6th, 2014, 6 days after the Plaintiff filed his Notice Of Motion of
 17 appeal, Defs Spacey and Brunetti closed and destroyed the TS social network.

18 ● 119. In 2015, almost immediately after TS closed, Project Greenlight (which had
 19 been **dead for 10 years**, came back to life, with a new HBO TV show, airing fall of 2015.

20 ● 120. July 2016, HBO announced the Project Greenlight TV show was cancelled.

21 ● 121. In 2016, with the cancellation of the TV show *Project Greenlight*, and with
 21 the closing of TS—with no way to gain access to original screenplays to misappropriate—
 22 ProjectGreenlight.com went active, again. **After 10 years of online inactivity**, Def Matt
 23 Damon, Ben Affleck and ProjectGreenlight.com began seeking new screenplays again.

24 ● 122. In 2015, Def Dana Brunetti (former cellphone salesman and Spacey’s personal
 25 assistant) produced his **first** solo film, without Kevin Spacey, *50 Shades of Grey*—payment
 26 for his involvement in the TS conspiracy. *50 Shades of Grey* was **Distributed by Universal**
 27 **Pictures**. (A Wikipedia article showing the producers and distributors of 50 Shades of Grey
 28 is attached as “**Exhibit X**” and is incorporated by reference as if fully set out herein.)

1 **SONY PICTURES EMAIL LEAK EXPOSE DEF ARI EMANUEL'S SECRET**
 2 **UNIVERSAL PICTURES TIES, HIS UNLAWFUL RELATIONSHIPS WITH SONY**
 3 **PICTURES' CEO (M. LYNTON), & HIS BULLYING, THUGGISH METHODS**

4 123. Further confirming all allegation herein, in 2015 Wikileaks released thousands of
 5 Sony Pictures emails, which had been previously released in 2014, when North Korea
 6 hacked and published thousands of Sony's emails. Within days hundreds of respected news
 7 agencies carried the story —The NYTimes, LATimes, Hollywood Reporter, all reported the
 8 juicy details—and the juiciest story was the story of how Sony Pictures lost -or passed on-
 9 “Steve Jobs”, the movie.

10 124. All of the reports are similar: the emails provide an inside view of bunch of
 11 super-rich Hollywood producers, writers, and directors negotiating the production budget of
 12 the film “Steve Jobs”, until the deal went bad and Sony gave up on the film. And right in
 13 the eye of the storm is Def Ari Emanuel. (An articles from “Mashable.com” about said
 14 “Steve Jobs” film emails is attached as “**Exhibit Y**”and is incorporated by reference as if
 15 fully set out herein.)

16 125. A few of the celebrities captured on Sony Pictures email/text leak, at times,
 17 behaved poorly, but no one behaved worse than, Def Emanuel. Brazen and thuggish, we see
 18 Def Ari Emanuel berate Sony Pictures’ Chairman Amy Pascal, with impunity. And when
 19 the other Sony execs learned of this, they only called Def Emanuel a *bully*—behind his
 20 back. No one dared to confront Def Emanuel. But more surprisingly, through a tiny sliver of
 21 Def Ari Emanuel’s emails (just those going into, or out of, Sony Pictures) we learn:

- 21 1. Def Ari Emanuel is a major film producer —in conflict with his role as a talent
 22 agent, and in violating California labor law which forbids employers (a producer)
 23 from charging employees (his actors) fees to be hired—perhaps an even more
 24 significant conflict of interest than Def Emanuel’s partnership in MRC II LP.
- 25 2. Defs Emanuel, Bill Block and Michael Lynton (then Sony Pictures CEO and
 26 Chairman) are secretly business partners: co-owners in the company *Screenbid*.
- 27 3. Ari Emanuel is also a film financier, or executive producer (a person who provides
 28 or finds money to make films).

4. Def Ari Emanuel also arranges peripheral services for Sony Pictures (and others), like making deals with Hasbro Toy Co. for Sony Pictures (for Spider-Man 2 & Minions action figures?).
 5. Whenever necessary, **Universal Pictures** will distribute ANY film for Ari Emanuel.

“STEVE JOBS” EMAILS CONFIRM DEF ARI EMANUEL IS SECRETLY A MAJOR FILM PRODUCER, AND THE TRUE PRODUCER OF “STEVE JOBS”—NOT SCOTT RUDIN

9 126. Through the Sony “Steve Jobs” email trail we see the “Steve Jobs” negotiation go
10 on for about 8 months, then it begins to fall apart on October 16th, 2014, after Sony
11 Pictures’ President of Business Affairs, Andrew Gumpert, sends Sony Pictures Chairperson
12 Amy Pascal, film producer Scott Rudin, Def Ari Emanuel, and WME co-CEO Patrick
13 Whitesell a financing offer, which the filmmakers felt was too low. October 18th, 2014,
14 two days after Gumpert’s low offer, Scott Rudin, angrily responds:

2014-10-18 16:09:38 Re: wwbo bumps/jobs From: Scott Rudin
<sr@scottrudinproductions.com> To: pascal, amy
gumpert, andrew aemanuel@wmeentertainment.com
pwhitesell@wmeentertainment.com

SCOTT RUDIN:

"You have NO risk in the movie but WE should have risk? You lay off every cent except what you choose to keep and WE should then also fund you --- that's how this should work?

I cannot believe you're serious. What idiot would make this deal? The presumption that five Oscar winners would be desperate enough to give up all value for their services and then also risk the baseline bargain-basement fees on top of it is beyond comprehension.

Every single movie like this that we have made for you has worked. And you think this is fair?"

25 127. At Rudin's words, Def Ari Emanuel, who purports to the world that he is just a
26 talent agent, would then take over the email exchange —seemingly eager to bully a woman.

On Oct 18, 2014, at 9:15 AM, From: Ariel Emanuel <AEmanuel@wmeentertainment.com> To: pascal, amy

sr@scottrudinproductions.com gumpert, andrew
pwhitesell@wmeentertainment.com

ARI EMANUEL:

“This offer is fucking bull shit. Give us the movie back. You you guys in the business. No other studio would even ask for this. Pass”

5 128. Def Ari Emanuel immediately establishes and retains dominance and control of the
6 matter for the remainder of the negotiation, and Scott Rudin would remain quiet and
7 subordinate to Def Emanuel. But the key detail in this email is that Def Emanuel has the
8 authority to say “Pass”, meaning: we choose NOT to do business with you, we will find
9 another partner. No mere talent agent can usurp that power from the producer. Scott Rudin
10 put Ari Emanuel on that email chain because Ari Emanuel is the true producer.

11 129. The exchange goes on. Amy Pascal writes:

On Oct 18, 2014, at 10:18 AM From: Amy_Pascal@spe.sony.com
To: aemanuel@wmeentertainment.com
sr@scottrudinproductions.com gumpert, Andrew
pwhitesell@wmeentertainment.com

AMY PASCAL:

“Can we please deal with this Monday
Maybe we all get in a room and close it up”

17 130. But Def Ari Emanuel will not be silenced by Ms Pascal's request to wait until
18 Monday. He replies five minutes later::

On Oct 18, 2014, at 10:23 AM, From: Ariel Emanuel <AEmmanuel@wmeentertainment.com> To: pascal, amy sr@scottrudinproductions.com gumpert, andrew pwhitesell@wmeentertainment.com

ARI EMANUEL:

“Whatever

You guys ask us to find financing. Scott, Patrick and myself get Modi and we still get no respect. Amy, this is not what you want to hear - but this NEVER happens and any other studio. In fact they then would go out of their way to make a proper deal.

Even Harvey.

Monday is fine."

27 131. With that statement Def Ari Emanuel admitted he found film financiers for
28 "Steve Jobs", which is a strictly a producer's, or an executive producer's job. Def Ari

1 Emanuel also generously (and falsely) shares credit with Rudin and Whitsell for getting
 2 Modi Wiczyk to help with financing, to make Rudin and Whitsell appear more significant to
 3 the process. Again, Defs Modi Wiczyk and Ari Emanuel had been business partners since
 4 2002 (at Endeavor, as well as in MRC). Getting Def Modi Wiczyk involved was entirely
 5 Def Ari Emanuel's doing. Amy Pascal responds to Def Emanuel's provocation:

6 On Oct 18, 2014, at 10:51 AM, From: Amy_Pascal@spe.sony.com
 7 To: aemanuel@wmeentertainment.com
 8 sr@scottrudinproductions.com gumpert, Andrew
pwhitesell@wmeentertainment.com

9 **AMY PASCAL:**

10 “arihat is totally unnecessary we are in a negotiationwe have all
 11 been doing this a long timewe want to make moneyyou want to
 12 make money for yourselves andyour clientsthis has nothing to do
 13 with respect and to be fair and its a credit to the movie that scott
 14 put together there are more financing partners than we know
 what todo with here....thats not the issue...we are the only major
 studio that even tries to make thesekind of movesdont make it
 harder than it isthe tone is really uncalled for and unfairand
 doesnt help get things doneamy”

16 132. Through all of this, Scott Rudin never commented or told Def Ari Emanuel to
 17 disengaged. That is not his place. Ari runs the show. Def Ari Emanuel replies:

18 2014-10-18 10:58:41 Re: wwbo bumps/jobs From: Ariel Emanuel
 19 <AEmmanuel@wmeentertainment.com> To: pascal, amy
 20 sr@scottrudinproductions.com gumpert,
andrew pwhitesell@wmeentertainment.com

21 **ARI EMANUEL:**

22 “Ok not true. Other studios make these movies”

22 133. Def Ari Emanuel was eluding to Universal Pictures, who would produce any film
 23 Def Emanuel suggested. Texting stopped for 7 or 8 hours, until Def Ari Emanuel resumed.

24 2014-10-18 16:20:47 From: aemanuel@wmeentertainment.com
 25 To: gumpert, andrew sr@scottrudinproductions.com,
pwhitesell@wmeentertainment.com, pascal, amy

26 **ARI EMANUEL:**

27 “In the real world when some one either risks something or gives something
 28 up they get something in return. You guys seem to think we should be
 honored just to be in business with you based on your offer. Why?”

134. After this, the negotiation disintegrated over the next 4 weeks. The last email from Def Emanuel to Amy Pascal was sent November 11, 2014, when Emanuel abruptly asked:

2014-11-14 22:57:02 From: aemanuel@wmeentertainment.com
To: pascal, amy

ARI EMANUEL:

"Is business affairs calling me so I can take this to Fox Searchlight officially?"

135. With that statement Def Emanuel showed that, in addition to producing, he even arranges distribution. Def Emanuel is asking Amy Pascal if Sony Pictures' President of Business Affairs, Andrew Gumpert, is going to call to let him know if Sony wants "Steve Jobs". Def Emanuel is bluffing that Fox Searchlight has agreed to take the film. He never had a deal with Fox Searchlight. He was just playing hardball; trying to get a better offer out of Sony, AND keep them in the dark about his distribution relationship with **Universal Pictures**.

136. As this deal dragged on over 8 months, 3 weeks before the previous exchange, Sony Pictures' Andrew Dumpert, spotted Def Emanuel's chicanery and bad motives. In an email to Sony execs Lynton, Pascal, and Doug Belgrad; Andrew Gumpert wrote:

2014-10-18 16:59:16 From: Andrew Gumpert
To: lynton, michael; pascal, amy; belgrad, doug

Andrew Gumpert:

"The fact is there is only so much in the kitty. Unless the movie massively breaks out they can never make real money, nor can we and our investors. They have a 50pt pool with the best definition and 5m of box office bonuses. **Do they want to make MORE than the equity? I think they do.** There is a huge philosophical gap (given the rude and insolent responses from Ari and Scott)..."

137. Andrew Gumpert knew something was wrong, because Def Ari Emanuel and Scott Rudin weren't adhering to established guidelines.

138. Although there have surely been occasions when Sony Pictures did cave-in to Def Emanuel's arm-twisting, this would not be one of those occasion. But oddly, Michael Lynton, CEO of Sony Pictures, responds to Gumpert only with silence—because Def Ari Emanuel is his close friend and secret business partner in Screenbid.

1 **"Steve Jobs" Film's Not-So Surprising *Twist* Ending:**

2 139. Fox Searchlight never touched "Steve Jobs".

3 140. Def Ari Emanuel had just been playing the ace up his sleeve; trying to push the
4 price of the film above market value, to increase his profit margin. He didn't need Sony
5 Pictures to give him standard market value for "Steve Jobs", he could get standard value
6 from Universal Pictures. When the maneuver failed, and Sony Pictures backed out, Def Ari
7 Emanuel took the film to the Studio that has distributed all of his films, since around 1999.

8 141. On September 5th, 2015, 10 months after Sony Pictures declined on "Steve Jobs",
9 after so much posturing and tumult, "Steve Jobs" was distributed by **Universal Pictures**.

10

11 SONY PICTURES EMAILS SHOW DEFS EMANUEL & BILL BLOCK & SONY
12 PICTURES' CEO (M. LYNTON) MAINTAIN UNETHICAL RELATIONSHIPS,
13 AS THEY CO-OWN "SCREENBID" TOGETHER (CONFLICT OF INTERESTS)

14 142. The "Steve Jobs" emails reveal Defs Emanuel and Bill Block are in a co-ownership
15 business with Sony Pictures' then-CEO Michael Lynton. As we see Def Ari Emanuel write
16 Michael Lynton to ask Lynton to check on their co-owned business, *Screenbid*.

17 On Dec 3, 2013, at 3:11 PM, From: aemanuel@wmeentertainment.com
18 To: lynton, michael;

19 **ARI EMANUEL:**

20 Michael -

21 What are we doing on Screenbid? We had success on our early tests,
nothing since. You guys own a piece of this company, we've had
nothing since our early success. We have to keep the engines going.

22 143. In the text above, Def Emanuel's and CEO Michael Lynton's joint ownership of
23 Screenbid is confirmed by the repeated use of pronoun "we". Def Ari Emanuel asks "What
24 are we doing..." Then he states "We had success on our early tests..." Then he reminds
25 Lynton that he (and some unknown party, or parties) also own shares of this company. Then,
26 implying Lynton has a responsibility, Def Emanuel says, "**You guys own a piece of this**
company..." Then Def Emanuel exhorts CEO Michael Lynton to take action, saying: "We
have to keep the engines going."

27 144. These are not the messages of quiet stockholders. These men are owners.

145. Sony Picture's CEO, Michael Lynton is quite a bit wiser than Def Emanuel, and does not reply to Emanuel through his Sony Email account, understanding they are engaged in an unlawful enterprise. But 11 months later, 10/31/2014, Def Bill Block, the CEO of Screenbid, not-so-wisely emails Def Emanuel and Lynton (to Lynton's Sony email address) to give his business partners a business report, pasted below his reply text. (Bill Block was the CEO of QED International, a Defendant in Briggs v Blomkamp.) Def Bill Block's reply email reads:

2014-10-31 00:35:37 FW: SCREENBID AUCTION UPDATE
From: bblock@qedintl.com To: aemanuel@wmeentertainment.com
michael lynton@spe.sony.com

BILL BLOCK:

Going well gentlemen.

Bill

From: Jeffrey A. Dash [mailto:jdash@screenbid.com]
Sent: Monday, October 27, 2014 10:13 AM
To: Bill Block
Subject: SCREENBID AUCTION UPDATE

AUCTION UPDATE:

TRUE BLOOD: (HBO) We are winding down aftermarket sales and fulfillment and are on schedule to present audited reports to HBO accounting within 14 days.

SONS OF ANARCHY: (FOX) We visited the set on Friday 10/24/14 and met with the department heads for props, wardrobe, transportation and set decoration. They are scheduled to wrap next week and we will take delivery by 11/5/14, immediately inventory and shoot. Writing began about 2 weeks ago. The auction is scheduled to go live on 12/01/14 and bidding will end on 12/10/14. Fulfillment time will be tight. In order to get everything shipped prior to XMAS we will have extra staff in place to facilitate..."

146. In this unethical relationship, Sony Pictures' CEO Lynton, personally profited as Screenbid's owner, in such ways as directing Sony Pictures to give Screenbid millions in set furnishings to auction on Screenbid, where he and Def Emanuel profited as owners. Lynton's secret relationship with Def Emanuel is why Sony Pictures did not do due diligence to vet Def Blomkamp's Elysium script.

1 SONY EMAILS SHOW DEF EMANUEL PERFORMS
2 PRODUCERIAL SERVICES: CALLING SONY'S CEO & CHAIRMAN
3 TO ARRANGE A DEAL WITH HASBRO

4 147. On March 28, 2014, Def Ari Emanuel emailed/texted Sony's Pictures' CEO and
5 Chairman to close an animation co-financing deal with Hasbro. Def Emanuel's email read:

6 2014-03-28 re: HASBRO Animation deal
7 From: aemanuel@wmeentertainment.com
8 To:amy_pascal@spe.sony.com; michael_lynton@spe.sony.com

9 **ARI EMANUEL:**

10 “HASBRO Animation deal

11 Amy & Michael -

12 We have sent Ronni our proposal for the animation co-financing
13 deal. Please take a look when you get a chance and lets lock this
14 down.

15 Ari

16 148. Talent Agents don't arrange animation co-financing deals with Hasbro, producers
17 and studios do. Curiously, after Billionaire Def Ari Emanuel recently purchased the UFC he
18 arranged a UFC Hasbro deal. (An article where Def Emanuel discusses UFC and Hasbro is
19 attached as “**Exhibit Z**” and is incorporated by reference as if fully set out herein.)

20 **SONY EMAILS SHOW DEFENDANTS COMMITTED PERJURY REGARDING**
21 **THEIR EFFORTS TO HIDE INFRINGEMENT IN BRIGGS V BLOMKAMP**

22 149. The Defendants' fraud, conspiracy and routine deceit included committing perjury
23 by lying on documents signed under oath.

24 150. During the discovery phase of Briggs v Blomkamp, et al (C13 4679 PJH) the
25 Plaintiff informed the district court that he suspected that writer/producer Simon Kinberg
26 was hired to rewrite Def Blomkamp's poorly written screenplay. In response to Plaintiff's
27 interrogatories to MRC II LP, the Defendants made false statement, under oath, regarding a
28 substantial matter in that case, which may impact the Plaintiff's ability to prevail in that
 lawsuit (currently in appeals). (Said Def MRC II LP's Interrogatory Responses from Briggs
 v Blomkamp are attached as “**Exhibit AA**” and is incorporated by reference as if fully set
 out herein.)

151. That deceit occurred when the Defendants responded to interrogatory #17; believing Simon Kinberg helped disguise Defendant Blomkamp's infringement, the Plaintiff asked:

Plaintiff's Interrogatory:

INTERROGATORY #17:

“Simon Kinberg is a writer and “script doctor” (a writer who fixes scripts that have serious problems). Simon Kinberg is listed as a producer of Elysium. Exactly what duties did Simon Kinberg play in the production and script doctoring of the screenplay and film “Elysium”? ”

Defendants' Answer:

“Defendant incorporates by reference the preliminary statement and general objections... Subject to and without waiving the foregoing objections, Defendant responds as follows:

Simon Kinberg produced the Film. As producer, Mr. Kinberg also assisted with a polish of the Film's screenplay during the later stages of writing.”

But The Leaked Sony Emails Reveal The Truth About Said Perjury:

14 152. The Defendants admitted that Simon Kinberg helped improve the weak screenplay,
15 BUT suggested that his help was just a “polish”, which suggests merely dotting I’s and
16 crossing T’s, and maybe a dialogue suggestion here and there. But, in fact, Simon Kinberg
17 had to do exhaustive work to try to salvage Elysium’s terrible screenplay.

18 153. The gross underestimation and misrepresentation of all the work Simon Kinberg
19 had to do to repair Def Blomkamp's Elysium script is revealed in the 2015
20 Wikileaks're-posting of the Sony Pictures' hacked emails, in five (5) key email exchanges
21 between Defs **Modi Wiczyk**, **Simon Kinberg**, and Sony Pictures Chairperson **Amy Pascal**.
21 In the first email, Def Wiczyk explains Kinberg's role:

2014-10-27 13:36:12 Fwd: CHAPPIE NOTES

From: mwiczyk@mrcstudios.com To: pascal, amy

MODI WICZYK:,

"hi! so i asked si to share all the notes hes wanted to do, in detail, for weeks but hasnt been able to do.it lines up w what everyones saying. great detail and very specific.he also included rachels document and merged it.**simon is a fixer and a logician** and i want him to trest this like hes been brought in to doctor it on some level, and he does too. nb has been ignoring him the past few weeks after listening to him up until then. dont know why, dont care. its our turn now.i told doug that we should

1 leave the mtg telling thema. timeline for seeing new stuff b. possibly do a
 2 parallel more radical cut to play w thebig first act and religious note.c. first
 "basic" cut should do all cuts in the notes, deal w ending. see you at 9."

3 154. Def Wiczyk, Simon Kinberg, and Amy Pascal continued to discuss the endless and
 4 unimaginable problems Kinberg was having helping director Def Blomkamp's save his
 5 film, *Chappie*; the executives discuss reshoots, dialogue rewrites, other huge changes, and
 6 how to protect Def Blomkamp's insecure ego. Yet, amid these massive problems, Kinberg
 7 comments that Def Blomkamp was handling Kinberg's executive ordered changes much
 8 better than he handled them on *Elysium*, where Kinberg explains Blomkamp "**shut down**
 9 **on elysium, partly because he felt he didn't have the answers. he's never shut down on**
 10 **this movie, not once.**" In this email to Amy Pascal, Simon Kinberg wrote:

11 2014-08-07 07:02:55 Re: Chappie from:
 12 sdkinberg@aol.com to: pascal, amy

13 **SIMON KINBERG:**

14 "cool! neill has been really open throughout this process, and wants to get
 15 the audience all the way there. i think we're all feeling the same things
 16 now, so we can put it together and deliver to him, and he'll take it as an
 17 assignment not a judgement, and stay creative. **i saw him shut down on**
elysium, partly because he felt he didn't have the answers. he's never
shut down on this movie, not once. so i don't think he will now..."

18 155. In fact, the text/emails reveal Def Wiczyk and Amy Pascal were forced to hide
 19 from Def Blomkamp the fact that Simon Kinberg had to take over the film to finish it. This
 20 is revealed when Def Wiczyk wrote to Sony's Chairperson, Amy Pascal:

21 2014-10-27 13:42:22 Re: To discuss
 22 From: mwigczky@mrcstudios.com; To: pascal, amy

23 **MODI WICZYK:**

24 "not to oversimplify but i know simon has been biting his tongue for a
 25 month and all the sloppy stuff has been making him crazy. when i speak
 26 to him he seems to have a very clear view of what he wants to do. it
 lines up w what ur saying. i hink if we make them do it we will have a
 much much much better film that works. we just cant literally tell neill si
is taking over....so its "our" notes"

27 156. Additional evidence of the extreme measures that Defendants Simon Kinberg,
 28 Sony Pictures, MRC and Modi Wiczyk resorted to salvage *Chappie*. Can be seen in such

emails/texts as when Def Modi Wiczyk explains director Def Neill Blomkamp's inability to even write or direct "basics". In an email text to Amy Pascal, Wiczyk wrote:

2014-10-27 13:52:57 Re: To discuss

From: mwiczyk@mrcstudios.com, To: pascal, amy

MODI WICZYK:

"yes thats what i mean the right version of this could be iconic and do 300 and have a huge sequel what bugs me is how obvious and unpolished the problems are all the hard stuff is great but all the basics are killing us"

157. A week later, Def Modi Wiczyk emailed Amy Pascal to discuss BlomKamp's insecurities, and how they were impacting production.

2014-11-03 04:31:07 Re: From:
mwiczyk@mrcstudios.com To: pascal, amy

MODI WICZYK:

"dunno re simon. maybe insecure, maybe thinks simon is on "studio side, which is juvenile. hes always mad at somebody. vacillates btwn targets. i ignore it until it stops forward progress.

re edgar i actually initially got nervous the music was too old to be cool, but all my assistants say lots of these songs are in the collective consciousness, played in bars and clubs. shows what i know....i dug the reel he did. and i loved the app w script and music.”

158. There are many more such emails that further reveal how inept and difficult Def Blomkamp is. But from these select emails, we see that to revise Blomkamp's *Chappie*, Kinberg took extraordinary measures, and that Blomkamp's inept, "insecure" and "juvenile" conduct made Kinberg "crazy", forcing the executives to takeover the edit. Yet, Kinberg implied these problems were mild compared to what he endured with Blomkamp revising *Elysium*, where the problems were so extreme that Blomkamp "**shut down**" and "**didn't have the answers**". Clearly, the script work Kinberg did on *Elysium* was **exhaustive**, and not a mere "polish" as Def MRC II LP stated under oath. This was a clear act of perjury.

SONY EMAILS CONFIRM DEFS RULE 37 VIOLATION IN BRIGGS V BLOMKAMP, SHOWING DEFS OMITTED TESTIMONY & EVIDENCE

159. On page 28 of the Plaintiff's First Amended Complaint in Briggs v Blomkamp, et al, the Plaintiff made a bold prediction: that sometime after May of 2013 (when Blomkamp

learned the details of Plaintiff's impending copyright lawsuit) Defendant Neill Blomkamp went back into the editing room and tried to edit-out key headache scenes, which were identical to the Plaintiff's work. The Plaintiff explained that Blomkamp did this to try to cover-up his theft of the Plaintiff's intellectual property.

160. Supporting this prediction, during the discovery phase of Briggs v Blomkamp, the Plaintiff found a report on TheProvince.com (titled: "Elysium's ready as director Blomkamp looks forward to next project" from February 2013) in which Def Blomkamp stated the film was finished back in February 2013. (Said article from "The Province" is attached as "**Exhibit BB**" and is incorporated by reference as if fully set out herein.) Then, proving the Plaintiff's prediction, in sworn responses to Plaintiff's interrogatories, during discovery in Briggs v Blomkamp, Def Blomkamp admitted film editing was finished "Sometime in or about June 2013." (Said Defendant Blomkamp's Interrogatory Responses from Briggs v Blomkamp are attached as "**Exhibit CC**" and are incorporated by reference, as if fully set out herein.)

161. The Plaintiff then filed a motion to compel documents, asking for all texts and emails between Def Blomkamp and both *Elysium* film editors: Julian Clarke and Lee Smith (Smith was the final editor—the editor who would have made these headache changes). The Plaintiff made this motion to prove that Def Blomkamp resumed film editing after February 2013, to try to remove or alter the “headache” scenes. However, **the Defendants would not provide a response from Lee Smith**, only from Clarke (Clarke stated that editing ended well before June 2013—contradicting Blomkamp, who said editing ended June 2013). But Lee Smith returned to the editing room to fix the headache scenes in May and June 2013.

162. As well as doing the final edit of *Elysium*, the 2014 Sony email leak show that Lee Smith also did the final edits for Blomkamp's next film, *Chappie* (although Smith isn't credited on IMDB or Wikipedia).

163. Lee Smith's final edit of Chappie is revealed in the Sony email leaks as Def Modi Wiczyk writes to Amy Pascal:

2014-08-12 00:13:30 saw it. From:
mwiczyk@mrcstudios.com To:

amy_pascal@spe.sony.com

MODI WICZYK:

"we are going to get there and have a big success with this one. lee
smith will be huge, **nb** is in GREAT frame of mind."

164. Def Wiczyk knew Smith would be “huge” because of how Smith helped salvage Elysium. A few months later Def Wiczyk told Amy Pascal about all the work Lee Smith had left to do on the film, and the continued problems between Blomkamp and Kinberg.

2014-11-03 02:03:10 Re: From: mwiczyk@mrcstudios.com
To; pascal, amy

MODI WICZYK:

"Hi!

in terms of neill, totally ur call but...

i feel like this coming week is critical bc neill has to really really let lee in to polish, refine, etc. a lot of little indulgences are gonna have to go. so--- i was trying to be positive but also let him know theres real real work yet to do. and in a short period of time.... i talked to lee for a while today who says neills been very open so thats good...but hes been a dick to simon for whatever reason. so a long way of saying i want to keep the pressure on him. because i agree it can be special. make sense?"

165. The Plaintiff filed his Motion to Compel (seeking a statement from Lee Smith) three (3) weeks before the deadline for dispositive motions (liability), July 9th, 2013. But the district court set the motion hearing for more than a week AFTER the deadline for dispositive motions (Aug 7th, 2013). Thus, the Plaintiff had to file his Motion For Summary Judgment (**MFSJ**), without being able to inform the court of the Defendants' **violation of Rule 37** (failure to cooperate to compel a discovery response); a violation that, in this case, resulted in the omission of evidence of a cover-up (that cover-up being: Neill Blomkamp returned to the editing room with Lee Smith, in June 2013, to ask Smith to try to erase edit and remove the headaches from Elysium). Thus, during the teleconference hearing with Magistrate Judge Laurel Beeler, the Plaintiff explained that the matter was unresolved but was effectively "moot" because both parties' MFSJs had been filed, and the Plaintiff had less than a week to file his Reply Brief (Magistrate Beeler thus ruled the issue moot). (Note: the Defs also refused ALL of the Plaintiff's discovery requests for texts or emails regarding ANY Elysium matters; expanding the Defendants' **Rule 37 violations**).

1 **MRC & SONY PICTURES NEGLECTED TO DO BASIC**
 2 **DUE DILIGENCE, BUYING THE RIGHTS TO ELYSIUM**
 3 **WITHOUT EVEN READING A SCREENPLAY**

4 166. In 2008, Def Neill Blomkamp filmed *District 9* without a screenplay. District 9's
 5 star, Sharlto Copley, has given many interviews discussing the fact that he improvised every
 6 line of the film—such as the interview he gave *USA Today* in 2011. (Said USA Today
 7 article with Sharlto Copley is attached as "**Exhibit DD**" and is incorporated by reference as
 8 if fully set out herein.) Due to Def Emanuel's inappropriate relationship with Sony Pictures'
 9 CEO Michael Lynton and Def Bill Block (of QED Int.), Emanuel was able to get QED and
 10 Sony Pictures' subsidiary *TriStar* to produce and distribute *District 9*, without a screenplay
 11 —using only Def Blomkamp's notes, which they referred to as a "script". Countless writers
 12 in online forums, have tried to find a copy of a *District 9* script. All have failed.

13 167. Similarly, MRC (co-owned by Def Emanuel) and Sony Pictures bought the film
 14 and distribution rights to *Elysium* from Def Blomkamp, without ever reading a screenplay.
 15 Sony Pictures bought the rights to *Elysium* in a hasty meeting in 2008. In this well
 16 documented meeting MRC and Def Blomkamp displayed 50-60 concept art paintings of
 17 scenes from Blomkamp's proposed film. The art was so persuasive that Sony Pictures
 18 agreed to buy the rights, immediately, never bothering to read the script.
 19 HollywoodReporter.com reported the details of the stunningly hasty meeting between
 20 Blomkamp, MRC and Sony Pictures —on the very day it occurred, January 19, 2011.
 21 MRC scheduled meetings with several other distributors that same day, but Sony Pictures
 22 was so rushed and eager to buy the film that MRC canceled all other distribution meetings
 23 scheduled that day. The Hollywood Reporter article carefully reports the "art designs" that
 24 secured this deal, but never mentions a "screenplay" or a "script". (Said Hollywood
 25 Reporter article about Blomkamp, MRC closing the deal with Sony Pictures is attached as
 26 "**Exhibit EE**" and is incorporated by reference as if fully set out herein.) This same
 27 meeting and concept art were also recounted in the book "*Elysium: The Art of the Film*"
 28 —a book primarily made up of interviews with Def Blomkamp, himself. On August 6th,
 2013, Deep Focus Review (deepfocusreview.com) reviewed the book "*Elysium: The Art of*

1 the Film”, reflecting on this meeting. (Said Deep Focus Review article is attached as
 2 “**Exhibit FF**” and is incorporated by reference as if fully set out herein.) Upon
 3 interviewing Blomkamp, the Deep Focus Review article revealed that Defs Blomkamp and
 4 MRC staged 50-60 concept art paintings “and set them against the screenplay”, explaining:

5 “On the strength of these images—not to mention the strength of his first
 6 film, *District 9*—he garnered himself a \$100 million budget and signed
 stars Matt Damon and Jodie Foster.”

7
 8 168. The Defendants used the amazing artwork to strategically distract attention from
 9 the flawed screenplay. Sony Pictures took the bait. Within an hour or so, a deal for about
 10 \$115 million was made, and no executive from Sony Pictures ever read a script. MRC
 11 didn’t do due diligence because Defendant Ari Emanuel was a co-owner of MRC and Def
 12 Blomkamp’s personal agent; thus, they stood to make millions from the deal. Sony Pictures
 13 failed to do due diligence because CEO Michael Lynton had an improper, secret business
 14 partnership with Def Emanuel (Screenbid.com), and wanted to maintain good relations with
 15 Defs Emanuel and MRC—and make millions without regard for whose work they pirated.

16 169. Def Blomkamp’s script was so poorly executed and riddled with evidence of
 17 misappropriation of the Plaintiff’s work, that Defs Blomkamp, MRC and Sony Pictures took
 18 extreme measures to protect the script during film production. The website Games Radar
 19 (gamesradar.com) interviewed one of Elysium’s stars, film icon **Jodie Foster**, who revealed
 20 the producer’s paranoia as she explained she wasn’t allowed to possess a script. (Said
 21 Games Radar interview with Jodie Foster is attached as “**Exhibit GG**” and is incorporated
 22 by reference as if fully set out herein.) Foster said:

23 **“They won’t even give me a screenplay. I’ve read it, but they won’t
 give me one to physically keep in my home ‘cause they’re so worried
 about everybody.”**

24
 25 170. How Sony Pictures and MRC committed \$115 million to a movie without reading a
 26 screenplay, but invested millions to keep the screenplay secret defies reason. This was done
 27 to keep the Plaintiff from learning details of the film’s plot before it was released, to prevent
 28 the Plaintiff from getting an injunction to stop production.

171. Had Sony Pictures behaved ethically, AND done their due diligence, they would have read Blomkamp's screenplay, then they would have seen Def Blomkamp's unfocused ideas, vast story weakness, and his poor literary skills. These shortcomings, juxtaposing concepts that were beyond such limited literary skills, should have raised red flags that Blomkamp's story may have been misappropriate, thus killing the deal. Hence, the Plaintiff would have filed no claims, including all claims herein.

172. When Sony Pictures finally read Blomkamp's screenplay, seeing his poor writing skills and disjointed ideas, they hired writer/producer Simon Kinberg, who Def Wiczyk described as a "fixer" (a term Wiczyk borrowed from Jeff Rovin, expert witness in *Briggs v Blomkamp*). In a 2014 email to Sony Pictures Chairperson, Amy Pascal, Wiczyk wrote:

2014-10-27 13:36:12 Fwd: CHAPPIE NOTES

From: mwiczyk@mrcstudios.com To: pascal, amy

MODI WICZYK:

"hi! so i asked si to share all the notes hes wanted to do, in detail, for weeks but hasnt been able to do.it lines up w what everyones saying. great detail and very specific.he also included rachels document and merged it.**simon is a fixer and a logician** and i want him to trest this like hes been brought in to doctor it on some level, and he does too. nb has been ignoring him the past few weeks after listening to him up until then. dont know why, dont care. its our turn now.i told doug that we should leave the mtg telling thema. timeline for seeing new stuff b. possibly do a parallel more radical cut to play w thebig first act and religious note.c. first "basic" cut should do all cuts in the notes, deal w ending. see you at 9."

173. A company has a responsibility to do basic due diligence, to make sure their products are what they allege: original works. Having a CEO who is secret business partners with the CEO of a talent agency subcontractor, undermines due diligence. Failing to read a screenplay before buying the rights to that screenplay is not doing due diligence. Hiring a “fixer” to hide evidence of misappropriation is not doing due diligence. Rather, these are the methods of corrupt, mob-like conspirators.

174. Further, during discovery in Briggs v Blomkamp et al, the Plaintiff asked the Defendants for all documentation of their due diligence to make sure Elysium was not an infringement. The Defendants failed to produce any such documentation.

1 **Defendant Blomkamp Gets Caught Lying To The World About**
 2 **His “Aliens” Script (Which Also Did Not Exist) , in 2017:**

3 175. Just as Def Blomkamp (with Def Wiczyk’s help) sold Elysium to Sony and MRC
 4 without a screenplay, Blomkamp recently tried to sell his idea for a fifth “Aliens” film
 5 without a script—but this time he did it openly, online, for the world to see. Unfortunately,
 6 in the process he ensnared several other Hollywood notables in his’ strange world of lies.

7 176. On January 2nd, 2015, Def Blomkamp shared some “Aliens” concept art on his
 8 Twitter account, expressing hope of one day shooting the film. Soon dozens of Blomkamp
 9 fans began spreading the word that Def Blomkamp was out to make the fifth Aliens film,
 10 including in an article on Nerdist.com. (Said article from Nerdist.com is attached as
 11 “**Exhibit HH**” and is incorporated by reference as if fully set out herein.)

12 177. By July **2016**, websites like ScreenRant.com were reporting Def Blomkamp had
 13 recruited actress Sigourney Weaver and director James Cameron to tell the world how great
 14 Blomkamp’s script was. (Said ScreenRant article is attached as “**Exhibit II**” and is
 15 incorporated by reference as if fully set out herein.) In ScreenRant Sigourney Weaver said:

16 **“There is an incredible script by Neill. I didn’t want to do a fifth one. I**
 17 **thought going to earth wouldn’t be fun. I got this script that was**
 amazing and gives fans everything they’re looking for...”

19 178. And James Cameron also praised the script in the ScreenRant article:

20 **Director James Cameron (*Avatar*) then went on to throw in his two cents,**
 21 **saying that Blomkamp’s is “a very strong script” and “works gangbusters.”**

21 179. “Gangbusters.”

22 180. Then, in April 2017, ScreenCrush.com reported that director Ridley Scott, owner of
 23 the Aliens franchise, had announced there would be no *Aliens 5* movie. Mr. Scott explained
 24 Defendant Blomkamp **never even had a script**. (Said Screen Crush article is attached as
 25 “**Exhibit JJ**” and incorporated by reference as if fully set out herein.) Ridley Scott stated:

26 **“I don’t think it will ever see the light of day. There was never a script.**
 27 **Just an idea that evolved from a dozen or so pages.”**

28 181. This all caused the article writer to wonder who was lying: “We seem to find

1 ourselves in a bit of a ‘*he said, she and he said*’ situation here,’ Monagle wrote.

2 182. Remember, in 2000 Def Wiczyk helped sell his brother’s script to Summit without
 3 so much as a script name, and Sony Pictures was right there, negotiating for the rights to
 4 that unwritten, nameless script—eager to please any good friend of Ari Emanuel’s.
 5 By 2016, with *Aliens 5*, the Defendants had grown so brazen that they let Def Blomkamp go
 6 out and lie to the world for himself, believing they could throw a script together after the
 7 contract was signed. Rubbing their hands in anticipation of all that money, none of them
 8 expected Ridley Scott to do due diligence and insist on seeing a script, ruining their scheme.
 9

10 **IN BRIGGS V BLOMKAMP THE DEFS HIRED A CONMAN, JEFF ROVIN
 11 (WHO COMMITTED FRAUD UPON THE COURT & WENT ON FOX NEWS
 12 TO ADMIT HE WAS A“FIXER” FOR BILL CLINTON) AS THEIR “EXPERT”**

13 183. Not only does this case reveal how effortlessly seemingly everyone in Hollywood
 14 lies, it reveals that when they get caught lying and stealing other people’s work, they call on
 15 world-class liars.

16 184. In a surreal, mobster-like twist, in Briggs v Blomkamp, rather than hiring one of
 17 thousands of California intellectual property attorneys as an expert witness, the Defs hired
 18 Jeff Rovin, a high school-educated New York “fixer” (Rovin’s self description). This is the
 19 same Jeff Rovin who confessed (two years after Briggs v Blomkamp went to MFSJ) to the
 20 *National ENQUIRER* (October 19th, 2016), and confessed on **Fox News**’ live telecast of
 21 ***The Sean Hannity Show*** (Oct 24, 2016), that he was a professional “fixer” who
 22 orchestrated false “smear” reports on people who disparaged President Bill and Hillary
 23 Clinton—while Bill Clinton was President. Rovin claimed he then published these smear
 24 articles in tabloid newspapers. Rovin’s interview with Hannity can be seen at
 25 <https://www.youtube.com/watch?v=L3mzoKuFN5o>. The story carried in countless other
 26 publications, including The Daily Beast. (Said Daily Beast article is attached as “**Exhibit**
 27 **KK**” and is incorporated by reference as if fully set out herein.) (Said National ENQUIRER
 28 article is attached as as “**Exhibit LL**” and is incorporated by reference as if fully set out
 herein.)

1 185. Rovin made these self-incriminating admissions on camera, in his own words.
 2 Rovin admitted that he also bribed the victims of his smears to stay quiet. Shockingly,
 3 Rovin says the bribes were so effective that they rarely needed to resort to other measures.
 4 In Rovin's words, "**Most of the time** it was just money, it never had to be any threats."
 5 Witlessly, Rovin admitted threats, violence—or worse—might ensue if the money wasn't
 6 accepted.

7 186. Sean Hannity summarized Rovin's work, saying, "Smearing happened. Money was
 8 paid. Orders were given. You were to go out and damage the reputation of people like
 9 Monica Lewinski."

10 187. Rovin modestly agreed with Hannity's assessment, stating, "It was a team effort."

11 188. Rovin went on to explain he had worked as a "fixer" many times in the past.

12 189. In Brigg v Blomkamp, the Defendants paid Jeff Rovin \$50,000 as a "fixer", to use
 13 his literary talents to lie, falsify and commit fraud.

14 190. In Brigg v Blomkamp, Rovin's fraud was so extensive that the Plaintiff moved the
 15 the court to exclude Rovin's "expert" report, as Rovin had falsified dozens of citations and
 16 fabricated evidence to substantiate his own claims, including a lengthy "quote" in which he
 17 fraudulently omitted 42 words—that wholly countered what Rovin reported. (Said Motion
 18 to Exclude is attached as "**Exhibit MM**" and is incorporated by reference as if fully set out
 19 herein.) Oddly, the court took no interest in the fraud contained in Rovin's report—which
 20 became the base of the district court's summary judgment opinion—and denied the motion.

21 191. How the Defendants knew such a devious man's "expert" report would go
 22 unchallenged is a mystery. How the Defendants knew such a sinister man existed—at all—is
 23 stunning. Rovin explained that he worked for President Clinton when Bill Clinton was in
 24 office (1991-2001). When asked how he came to be involved with the Clintons, Rovin
 25 explained that the Clintons became aware of Rovin because, in Rovin's words, he was
 26 "**fixing something for an actor who was in their** (the Clinton's) **inner circle.**" Rovin does
 27 not identify who this cabinet member is, but during the time Rovin was involved with the
 28 Clintons (1991-1998), **Rahm Emanuel** worked as the senior adviser to President Clinton
 (1993-1998). Rahm Emanuel is Defendant Ari Emanuel's brother.

1 Defendants May Use Campaign Donation To Avoid Prosecution

2 192. July 17, 2017, Observer.com reported that when Senator **Kamala Harris** was
 3 California's Attorney General she ignored corporate lawbreakers who made max donations
 4 to her campaign. (Said Observer article is attached as "**Exhibit NN**" and is incorporated by
 5 reference, as if fully set out herein). CampaignMoney.com reported **Def Emanuel** made max
 6 donations to Harris's campaign. (Said Campaign Money report is attached as "**Exhibit OO**"
 7 and is incorporated by reference as if fully set out herein.) The L.A. Times also reported Def
 8 Emanuel hosted a fundraiser for California's Lieutenant Governor Gavin Newsom. (Said LA
 9 Times article is attached as "**Exhibit PP**" and incorporated by reference, as if fully set out
 10 herein.) Emanuel likely made said donations to keep Harris, Newsom, and the Dept of Bus
 11 Oversight from investigating his improper ties with Universal, MRC, Screenbid, Sony, etc.

12 **9TH CIRCUIT FILM RULING IRREGULARITIES & CONFLICTS**

13 193. The district court's Briggs v Blomkamp summary ruling applied reversed law,
 14 rather than the prevailing law (cited by the Plaintiff). Such irregularities seem common in
 15 film industry cases in the 9th. In 2014, the L.A. Times asked Chief Justice **Alex Kozinski**
 16 about this and the 9th's relationship with the film industry. (Said article is attached as
 17 "**Exhibit QQ**" and incorporated by reference as if fully set out herein.) Kozinsky explained:

18 “He holds movie nights at the 9th Circuit courthouses in Pasadena, San
 19 Francisco and occasionally Seattle, where judges and lawyers pitch in for
 20 pizza and beer, **watch films and hear from scriptwriters and other**
 21 **industry insiders about the movies. Director George Lucas used to**
 22 **provide the court with films before they came out on DVDs...**”

23 194. Many readers were stunned to learn that The Studios had such access to the very
 24 judges trying their cases. The article quotes attorney Steven T. Lowe, who, implying bias in
 25 the Ninth, said, “The studios and networks always win.” In 2010, *The Los Angeles Lawyer*
 26 published Lowe’s article “Death of Copyright”. (Said article is attached as "**Exhibit RR**"
 27 and is incorporated by reference as if fully set out herein.) In the article Lowe explains:
 28

29 “Of the **48** copyright infringement cases against studios or networks that resulted
 30 in a final judgment within the Second and **Ninth Circuits (and the district courts**
 31 **within those circuits) in the last two decades, the studios and networks**
 32 **prevailed in all of them** and nearly always on motions for summary judgment.”